

November 1, 2010

To Whom It May Concern,

As part of the agricultural industry and involved with various aspects of the industry, the proposed rulings for EPA's TMDL for the Chesapeake Bay are concerning for two main reasons. The first reason is the volatility of the Bay Model being used to calculate and form plans on the state level to meet the requirements for the TMDL. The concern with the model is the inability to know exactly how the model is to be calculated and the factors that are unaccounted for when calculating the model. It is very difficult to meet a requirement, when you aren't given all the tools you need to do that task effectively. EPA's refusal to reveal the mathematical sensitivity of the model being used is nonsensical and creates numerous questions as to how states are supposed to meet EPA's requirements for their reduction of sediment and nutrients, when they are not even given the one piece of information they need to do it properly. In order for Pennsylvania's Watershed Implementation Plan (WIP) to pass the EPA's requirements for an implementation plan, those working on the plan need to have a more transparent Bay model to use and understand that accurately and thoroughly accounts for all BMPs and measures already implemented or proposed for implementation.

The second reason for concern is the proposed ruling in which EPA's TMDL creates more regulations on already heavily regulated Concentrated Animal Feeding Operations (CAFOs). The main concern with this aspect is CAFOs are already regulated through National Pollutant Discharge Elimination System Permits that are required based on the number of animals housed per farm. These permits are very consistent and require documentation of all aspects of the production facility. These permits require annual and often times several inspections a year. Seeking to further regulate these operations will not be an effective way to reduce more of the nutrient and sediment load contributing to the Bay. Continuing to only target one group of larger producers is not going to further reduce nutrient and sediment loads in large quantities. There are much smaller operations that are unregulated that are not required to implement Best Management Practices (BMPs) or required to keep documentation of daily operations or production for verification. When everyone is held accountable for their production and operations, then you will start to see a greater reduction of nutrient and sediment loading to the Bay. Being a regulated entity for poultry layer production, it is difficult to see what reductions will come from further regulating CAFO operations.

Sincerely,

Rebecca Ranck
Environmental Coordinator
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